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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAMI SEE BY ALEGRIA,

Plaintiff,

3:13-cv-00465-RCJ-WGC

6

v.

ORDER

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UNITED PARCEL SERVICES,

Defendant.

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On June 6, 2014, District Judge Robert C. Jones issued an order adopting the report and recommendation of the undersigned to allow Plaintiff, who has been granted in forma pauperis status, to proceed with the following claims in Count III: (a) retaliation based on FLSA and/or Equal Pay Act; (b) retaliation under Title VII; and (c) violation of the FMLA that occurred in January 2011. (Docs. # 9, 11.) All other claims were dismissed with prejudice. (*Id.*)

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IT IS HEREBY ORDERED that pursuant to Federal Rule of Civil Procedure 4(c)(3), the Clerk shall **ISSUE** a summons for defendant United Parcel Services, and **DELIVER THE SAME**, along with a copy of the amended complaint (Doc. # 6) to the U.S. Marshal for service. The Clerk shall also **SEND** to Plaintiff a USM-285 form, one copy of the amended complaint (Doc. # 6) and a copy of this order. Plaintiff shall have **twenty days** within which to furnish the U.S. Marshal the completed USM-285 form. Within **twenty days** after receiving from the U.S. Marshal a copy of the returned USM-285 form showing whether service has been accomplished, Plaintiff must file a notice with the court stating whether or not the defendant has been served.

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If the defendant has not been served, and Plaintiff wishes to have service again attempted on an unserved defendant, then a motion must be filed with the court identifying the unserved defendant and specifying a more detailed name and/or address for said defendant, or indicating whether some other manner of service should be attempted. This shall be done within **twenty days** of the date the Plaintiff is notified by the U.S. Marshal that service has not been accomplished as to the defendant.

7 Plaintiff is advised that pursuant to Federal Rule of Civil Procedure 4(m), she has one
8 120 days from the date the amended complaint was filed to effectuate service. In this case, the
9 court will construe the 120 days as running from the date of this order because Plaintiff is
10 proceeding pro se and through no fault of Plaintiff the screening of the amended complaint was
11 delayed.

12 IT IS SO ORDERED.

August 7, 2014.

Walter J. Cobb

**WILLIAM G. COBB
UNITED STATES MAGISTRATE JUDGE**